

FILED
ASHEVILLE, N.C.

SEP 25 2007

U.S. DISTRICT COURT
W. DIST. OF N.C.

WHEREAS, the United States filed a Lis Pendens with the Cleveland County Register of Deeds on April 5, 2007;

WHEREAS, on April 14, 2007, Public Notice of the forfeiture was served and returned according to law;

WHEREAS, no other person or entity has filed a petition with the Court asserting ownership of the aforementioned property;

WHEREAS, on May 9, 2007, Judgment was entered against the defendant;

WHEREAS, the United States and the defendant have agreed to substitute the following property for the aforementioned real property: \$175,125.00.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:


1. Pursuant to Fed. R. Crim. P. 32.2(c)(2), the following property is forfeited to the United States for disposition according to law:

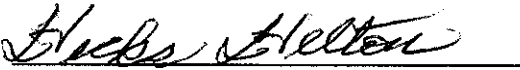
United States currency in the amount of \$175,125.00,


United States currency in the amount of \$389,633.00.

2. The defendant pay the United States the amount of \$175,125.00.
3. The forfeiture against 3011 Wood Road, described in Book 1292, Page 1011, of the Cleveland County Land Registry, Cleveland County, North Carolina, be dismissed with prejudice;
4. The United States release the Lis Pendens filed with the Cleveland County Register of Deeds on April 5, 2007.
5. Each party bear its own costs, including attorney's fees.

ON MOTION AND BY CONSENT OF THE PARTIES:


THOMAS R. ASCIK
Assistant United States Attorney


HICKS HELTON
Defendant


LEO DAUGHTRY
Attorney for Defendant

This the 24th day of September, 2007.


LACY H. THORNBURG
UNITED STATES DISTRICT COURT JUDGE